

REMARKS/ARGUMENTS

Claims 13 and 15-35 are pending in this application. By this Amendment, Applicant AMENDS claim 13, CANCELS claim 14, and ADDS claims 25-35.

Support for new claim 25 can be found in, for example, Applicant's previously presented claims 13 and 14. Support for new claims 26-35 can be found in, for example, Applicant's previously presented claims 15-24.

The Examiner is reminded that in an Information Disclosure Statement filed on July 25, 2007, Applicant cited copending U.S. Patent Application Nos. 11/514,387; 11/514,386; 11/514,000; 11/513,609; 11/514,017; 11/513,537; 11/469,268; 11/469,310; 11/469,228; 11/469,252; 10/591,285; 10/591,560; and 10/591,284 to bring to the attention of the Examiner and have the Examiner consider the subject matter and claims of the copending U.S. Patent Application(s), the prior art references, Office Actions and responses to Office Actions made of record in the copending U.S. Patent Application(s). The Examiner is respectfully requested to update his/her review and consideration of the claims of the copending U.S. Patent Application(s), the prior art references, Office Actions and responses to Office Actions made of record in the copending U.S. Patent Application(s).

Applicant appreciates the Examiner's indication that claim 14 would be allowable if rewritten to include all of the features of the base claim and any intervening claims. Applicant has rewritten allowable claim 14 as new claim 25 and to include all of the features of base claim 13 and any intervening claims. Accordingly, Applicant respectfully submits that new claim 25 is allowable. Claims 26-35 depend upon claim 25, and are therefore allowable for at least the reasons that claim 25 is allowable.

Claims 13 and 15-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Fischer (U.S. 6,220,109).

Applicant respectfully traverses the rejection of claims 13 and 15-24.

Claim 13 has been amended to recite:

A vehicle comprising:
an engine case containing at least a portion of an engine;

a speed-changing transmission selectively driven by the engine, the speed changing transmission including a shift shaft and a dog; and

a shift control device arranged to perform shift control of the speed-changing transmission, the shift control device including a shift actuator and an actuation force transmission mechanism, the shift actuator being configured to be stroked by a predetermined amount to move the shift shaft and the dog into and out of engagement,

the actuation force transmission mechanism being disposed outside the engine case and being interposed between the shift actuator and the shift shaft, and the actuation force transmission mechanism including:

first and second coupling parts being sized and configured to be coupled together to provide movement relative to each other;

a biasing mechanism arranged to urge the first and second coupling parts toward a neutral position; and

a stopper mechanism arranged to stop the relative movement of the first and second coupling part when one of the first and second coupling parts is moved relatively from the neutral position against urging force of the biasing mechanism and contacts the stopper mechanism; wherein

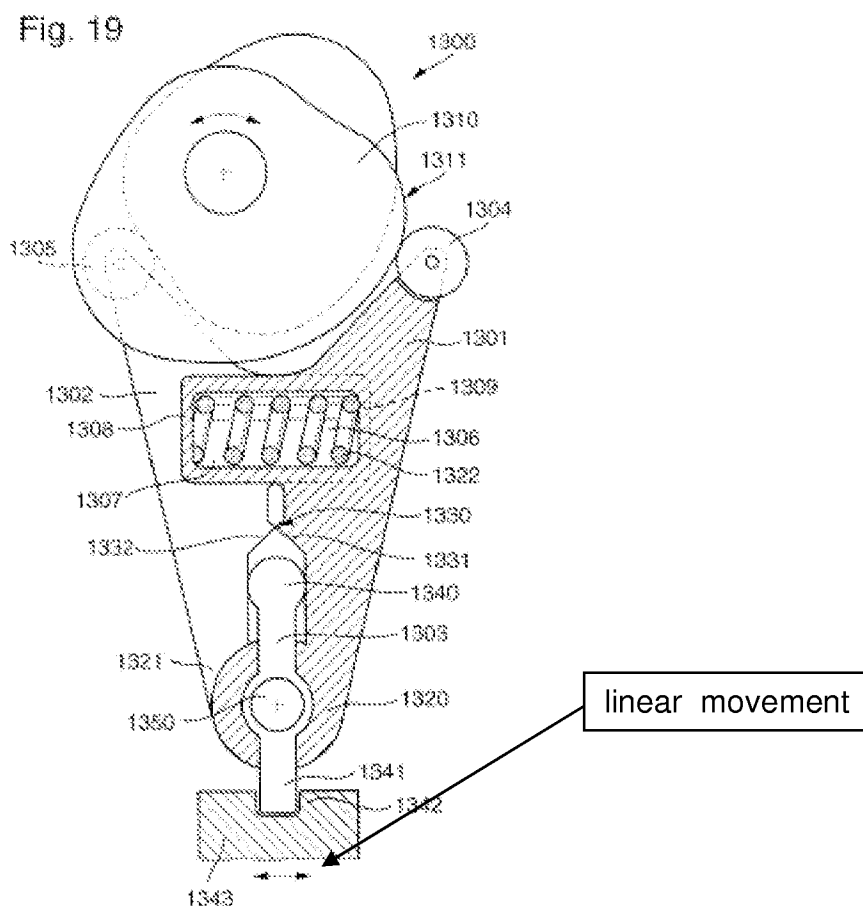
the actuation force transmission mechanism is arranged to receive a rotational movement input from the shift actuator and output a rotational movement to the shift shaft. (emphasis added)

The Examiner alleged that Fischer et al. teaches an actuation force transmission mechanism including “first and second coupling parts (210a, 210b, 1511, 1512, 1521, 1522, 1301, 1302) being sized and configured to be coupled together to provide movement relative to each other, a biasing mechanism (211, 1513, 1523, 1322) arranged to urge the first and second coupling parts toward a neutral position and a stopper mechanism (245a, 245b, 240a, 240b, 1516a, 1516b, 1525a, 1525b, 1330) arranged to stop the relative movement of the coupling parts.” With respect to claim 17, the Examiner alleged that the coupling parts 1301, 1302 “are coupled for at least rotational movement relative to each other” via shaft 1350.

Applicant has amended claim 13 to recite the feature of “the actuation force transmission mechanism is arranged to receive a rotational movement input from the shift actuator and output a rotational movement to the shift shaft.” Support for this feature is found, for example, in paragraphs [0096] and [0104] of Applicant's

specification and Figs. 12-16 of Applicant's drawings.

In contrast to Applicant's claimed invention, the first and second coupling parts 1301, 1302 in the actuation force transmission mechanism shown in Fig. 19 of Fischer et al. below output a linear movement, as clearly indicated by the horizontally extending arrow at the bottom of the figure.



Furthermore, it is not apparent from the disclosure of Fischer et al. if the element 1343 shown in Fig. 19 corresponds to the "shift shaft" 209 allegedly disclosed in Fig. 3 of Fischer et al. (see, for example, page 3, line 5 of the outstanding Office Action and column 10, lines 35-57 of Fischer et al. which disclose that reference character 209 corresponds to "shift elements," not a "shift shaft" as alleged by the Examiner).

As acknowledged by the Examiner, each of the actuation force transmission mechanisms shown in Figs. 4 and 21a-21c of Fischer et al. receive a linear movement and output a linear movement. Fischer et al. does not teach or suggest that any of the actuation force transmission mechanisms disclosed therein could or should be arranged to receive a rotational movement and output a rotational movement.

Thus, Fischer et al. clearly fails to teach or suggest the feature of "the actuation force transmission mechanism is arranged to receive a rotational movement input from the shift actuator and output a rotational movement to the shift shaft," as recited in Applicant's claim 13.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 13 under 35 U.S.C. § 102(b) as being anticipated by Fischer et al.

In view of the foregoing amendments and remarks, Applicant respectfully submits that claim 13 is allowable. Claims 15-24 depend upon claim 13, and are therefore allowable for at least the reasons that claim 13 is allowable. As indicated above, claims 25-35 are allowable.

In view of the foregoing amendments and remarks, Applicant respectfully submits that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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